

CHICAGO TITLE INSURANCE COMPANY

KITTITAS CO CDS
RECEIVED
04/24/2025

Policy No. 72156-48652144

UPDATED GUARANTEE

CHICAGO TITLE INSURANCE COMPANY, a Florida corporation, herein called the Company, guarantees the Assured against actual loss not exceeding the liability amount stated in Schedule A which the Assured shall sustain by reason of any incorrectness in the assurances set forth in Schedule A.

1. No guarantee is given nor liability assumed with respect to the identity of any party named or referred to in Schedule A or with respect to the validity, legal effect or priority of any matter shown therein.
2. The Company's liability hereunder shall be limited to the amount of actual loss sustained by the Assured because of reliance upon the assurance herein set forth, but in no event shall the Company's liability exceed the liability amount set forth in Schedule A.

PLEASE NOTE CAREFULLY THE LIABILITY EXCLUSIONS AND LIMITATIONS AND THE SPECIFIC ASSURANCES AFFORDED BY THIS GUARANTEE. IF YOU WISH ADDITIONAL LIABILITY, OR ASSURANCES OTHER THAN AS CONTAINED HEREIN, PLEASE CONTACT THE COMPANY FOR FURTHER INFORMATION AS TO THE AVAILABILITY AND COST.

Dated: March 26, 2025

Issued by:

AmeriTitle, LLC

503 N Pearl St., Ste 101

Ellensburg, WA 98926

(509) 925-1477

Hannah Hall

Authorized Signer

Note: This endorsement shall not be valid or binding until countersigned by an authorized signatory.

Subdivision Guarantee Policy Number: 72156-48652144

CHICAGO TITLE INSURANCE COMPANY



By:

[Signature of President]

President

ATTEST

[Signature of Secretary]

Secretary

UPDATED SUBDIVISION GUARANTEE

Order No.: 674065AM
Guarantee No.: 72156-48652144
Dated: March 26, 2025

Liability: \$1,000.00
Fee: \$350.00
Tax: \$29.05

Your Reference:

Assured: ESM Consulting Engineers, LLC

The assurances referred to on the face page are:

That, according to those public records with, under the recording laws, impart constructive notice of matters relative to the following described real property:

See attached Exhibit 'A'

Title to said real property is vested in:

Suncadia Resort LLC, a Delaware Limited Liability Company

END OF SCHEDULE A

(SCHEDULE B)

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Subject to the matters shown below under Exceptions, which Exceptions are not necessarily shown in the order of their priority.

EXCEPTIONS:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
2. Unpatented mining claims; reservations or exceptions in the United States Patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
3. Title to any property beyond the lines of the real property expressly described herein, or title to streets, roads, avenues, lanes, ways or waterways on which such real property abuts, or the right to maintain therein vaults, tunnels, ramps, or any other structure or improvement; or any rights or easements therein unless such property, rights or easements are expressly and specifically set forth in said description.
4. Any lien for service, installation, connection, maintenance, tap, capacity or construction or similar charges for sewer, water, electricity, natural gas or other utilities, or for garbage collection and disposal not shown by the Public Records
5. Indian tribal codes or regulations, Indian treaty or aboriginal rights, including easements or equitable servitudes.
6. General Taxes and Assessments – total due may include fire patrol assessment, weed levy assessment and/or irrigation assessment, if any. Taxes noted below do not include any interest or penalties which may be due after delinquency.

Note: Tax year runs January through December with the first half becoming delinquent May 1st and second half delinquent November 1st if not paid. For most current tax information or tax printouts visit: <http://taxsifter.co.kittitas.wa.us> or call their office at (509) 962-7535.

Tax Year: 2025
Tax Type: County
Total Annual Tax: \$785.63
Tax ID #: 11852
Taxing Entity: Kittitas County Treasurer
First Installment: \$392.82
First Installment Status: Due
First Installment Due/Paid Date: April 30, 2025
Second Installment: \$392.82
Second Installment Status: Due
Second Installment Due/Paid Date: October 31, 2025

Tax Year: 2025
Tax Type: County
Total Annual Tax: \$165.18
Tax ID #: 16224
Taxing Entity: Kittitas County Treasurer
First Installment: \$82.59

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First Installment Status: Due
First Installment Due/Paid Date: April 30, 2025
Second Installment: \$82.59
Second Installment Status: Due
Second Installment Due/Paid Date: October 31, 2025

Tax Year: 2025
Tax Type: County
Total Annual Tax: \$180.49
Tax ID #: 16231
Taxing Entity: Kittitas County Treasurer
First Installment: \$90.25
First Installment Status: Due
First Installment Due/Paid Date: April 30, 2025
Second Installment: \$90.24
Second Installment Status: Due
Second Installment Due/Paid Date: October 31, 2025

Tax Year: 2025
Tax Type: County
Total Annual Tax: \$1,063.85
Tax ID #: 11853
Taxing Entity: Kittitas County Treasurer
First Installment: \$531.93
First Installment Status: Due
First Installment Due/Paid Date: April 30, 2025
Second Installment: \$531.92
Second Installment Status: Due
Second Installment Due/Paid Date: October 31, 2025

7. This property is currently classified under the Open Space Taxation Statute R.C.W. 84.34. Sale of this property without notice of compliance to the county Assessor will cause a supplemental assessment, interest, and penalty to be assessed against the seller/transferor.

Note: If it is the intent of the buyer/transferee in this transaction to request a continuance of this classification, please contact the Kittitas County Assessor's Office at (509) 962-7501 for their requirements.

8. The provisions contained in Instrument from Plum Creek Timber Company, L.P., a Delaware Limited Partnership,
Recorded: October 11, 1996,
Instrument No.: [199610110015](#).
As follows: "Excepting therefrom all oil, gas and other hydrocarbons, together with the rights of ingress and egress as reserved in that certain Deed to Plum Creek Timber Company, L.P., from PCTC, Inc. executed on June 21, 1989 and recorded June 30, 1989 in the records of Kittitas County, Washington under Auditor's File No. [521473](#), as such reservation was modified by the certain Partial Waiver of Surface Use Rights dated February 13, 1996 and recorded April 8, 1996, in the records of Kittitas County, Washington, under Auditor's File No. [199604080028](#)."
9. Cle Elum River Corridor Grant of Conservation Easement, including the terms and provisions thereof, recorded September 2, 2004, under Auditor's File No. [200409020038](#), between Mountainstar Resort Development, LLC, a Delaware Limited Liability Company and Kittitas Conservation Trust, a Washington nonprofit corporation.
10. Declaration of Non-Exclusive Easement (Jenkins Drive), including the terms and provisions thereof, recorded October 5, 2004, under Auditor's File No. [200410050012](#).
Affects: Portion of Sections 18, 30 and 31, Township 20 North, Range 15 East; and Portion of Sections 13, 14, 23, 24 and 25, Township 20 North, Range 14 East, W.M.

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11. Phase 3 Reservoir Utility Easement, including the terms and provisions thereof, recorded October 5, 2004, under Auditor's File No. [200410050014](#) between Mountainstar Resort Development, LLC, a Delaware limited liability company, d/b/a/ Suncadia Development Company and Suncadia Water Company, LLC.

Affects: Portion of Sections 24 and 25, Township 20 North, Range 14 East, W.M.

First Amendment to Phase 3 Reservoir Utility Easement and the terms and conditions thereof, affecting a portion of said premises and for the purposes hereinafter stated, as conveyed by instrument recorded on February 20, 2007, under Kittitas County Auditor's File No.

[200702200103](#).

12. Grant of Provisional, Non-Exclusive Easement, including the terms and provisions thereof, recorded October 8, 2004, under Auditor's File No. [200410080055](#), in favor of Kittitas County, Washington, a Municipal Corporation. Said document grants "under the same terms and conditions" easements as set forth in documents recorded October 5, 2004, set forth in documents recorded October 5, 2004, under Auditor's File No.'s [200410050012](#), [200410050013](#), [200410050014](#) and [200410050015](#).

13. Covenants, conditions and restrictions, but omitting any covenant or restriction based on race, color, religion, sex, sexual orientation, disability, handicap, familial status, marital status, ancestry, national origin or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law.

Recorded: October 8, 2004

Instrument No.: [200410080057](#)

Further modifications of said covenants, conditions and restrictions

Recorded: July 2, 2012

Instrument No.: [201207020037](#)

Assignment and Assumption of said covenants, conditions and restrictions

Recorded: August 4, 2021

Instrument No. [202108040069](#)

14. Easement Agreement and the terms and conditions contained therein

Between: Suncadia, LLC

And: State of Washington, Department of Natural Resources

Recorded: June 20, 2005

Instrument No.: [200506200067](#)

15. Agreement and the terms and conditions contained therein

Between: Kittitas County, a Washington municipal corporation

And: Suncadia LLC, a Delaware Limited Liability Company

Purpose: Amended and Restated Development Agreement

Recorded: April 16, 2009

Instrument No.: [200904160090](#)

Resolution No. 2009-78 adopting the Seventh Amendment to Development Agreement, and the terms and conditions thereof, recorded June 12, 2009, under Auditor's File No. [200906120039](#).

Assignment of Reserved Rights recorded June 21, 2022 under Auditor's File No. [202206210030](#).

16. Natural Open Space Grant of Conservation Easement (Restated), and the terms and conditions contained therein

Between: New Suncadia, LLC, a Delaware limited liability company, Tumble Creek Village Association, a Washington nonprofit corporation and Kittitas Conservation Trust

Recorded: December 11, 2015

Instrument No.: [201512110029](#)

Affects: Tract Z-3, Suncadia Phase 2 Division 2, Sections 11, 13, 14, 15, 23 and 25, Township 20 North, Range 14 East, W.M. and Sections 18, 30 and 31, Township 20 North, Range 15 East, W.M.

17. Managed Open Space Grant of Conservation Easement (Restated), and the terms and conditions contained therein
Between: New Suncadia, LLC, a Delaware limited liability company, Tumble Creek Village Association, a Washington nonprofit corporation
And: Kittitas Conservation Trust
Recorded: December 11, 2015
Instrument No.: [201512110030](#)
Affects: Sections 13, 14, 15, 23, 25 and 26, Township 20 North, Range 14 East, W.M. and Sections 30 and 31, Township 20 North, Range 15 East, W.M.
 18. An easement including the terms and provisions thereof for the purpose shown below and rights incidental thereto as set forth in instrument:
Granted To: Suncadia Water Company, LLC, a Washington Limited Liability Company
Purpose: Potable water utility easement
Recorded: January 28, 2020
Instrument No.: [202001280050](#)
 19. An easement including the terms and provisions thereof for the purpose shown below and rights incidental thereto as set forth in instrument:
Granted To: Suncadia Environmental Company, LLC, a Washington Limited Liability Company
Purpose: Sanitary sewer utility easements
Recorded: January 28, 2020
Instrument No.: [202001280052](#)
 20. A Deed of Trust, including the terms and provisions thereof, to secure the amount noted below and other amounts secured thereunder, if any:
Amount: \$43,000,000.00
Trustor/Grantor: Suncadia Resort LLC, a Delaware Limited Liability Company; New Suncadia Hospitality, LLC, a Delaware Limited Liability Company; and Lodge at Suncadia LLC, a Washington Limited Liability Company
Trustee: AmeriTitle, LLC, a Delaware Limited Liability Company
Beneficiary: CIBC Bank USA, an Illinois state chartered bank
Dated: August 3, 2021
Recorded: August 4, 2021
Instrument No.: [202108040070](#)
Affects: Said premises and other land
 21. Assignment of Rents and Leases, including the terms and provisions thereof,
Grantor: Suncadia Resort LLC, a Delaware Limited Liability Company; New Suncadia Hospitality LLC, a Delaware Limited Liability Company; and Lodge at Suncadia LLC, a Washington Limited Liability Company
Lender: CIBC Bank USA, an Illinois state chartered bank
Recorded: August 4, 2021
Instrument No.: [202108040071](#)
Affects: Said premises and other land
 22. A Financing Statement filed in the Office of the County Recorder showing:
Debtor: Suncadia Resort LLC
Secured Party: CIBC Bank USA, an Illinois State Chartered Bank
Recorded: August 4, 2021
Instrument No.: [202108040073](#)
Affects: Said premises and other land
 23. Rights of the State of Washington in and to that portion of said Land, if any, lying in the bed or former bed of the Cle Elum River, if it is navigable.
 24. Any question of location, boundary or area related to the Cle Elum River, including, but not limited to, any past or future changes in it.
 25. Any prohibition or limitation on the use, occupancy, or improvements of the Land resulting from the rights of the public, appropriators, or riparian owners to use any waters, which may now cover
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the Land or to use any portion of the Land which is now or may formerly have been covered by water.

END OF EXCEPTIONS

Notes:

Note No. 1: Any map or sketch enclosed as an attachment herewith is furnished for information purposes only to assist in property location with reference to streets and other parcels. No representation is made as to accuracy and the company assumes no liability for any loss occurring by reason of reliance thereon.

All documents recorded in Washington State must include an abbreviated legal description and tax parcel number on the first page of the document. The abbreviated description for this property is: Lot B, Bk 30/pgs 234-235 and Lot 3A, Bk 21/pg 17; all being ptn Section 25, Township 20N, Range 14E, W.M.

NOTE: In the event any contracts, liens, mortgages, judgments, etc. which may be set forth herein are not paid off and released in full, prior to or immediately following the recording of the forthcoming plat (short plat), this Company will require any parties holding the beneficial interest in any such matters to join in on the platting and dedication provisions of the said plat (short plat) to guarantee the insurability of any lots or parcels created thereon. We are unwilling to assume the risk involved created by the possibility that any matters dedicated to the public, or the plat (short plat) in its entirety, could be rendered void by a foreclosure action of any such underlying matter if said beneficial party has not joined in on the plat (short plat).

END OF GUARANTEE

EXHIBIT 'A'

File No. 674065AM

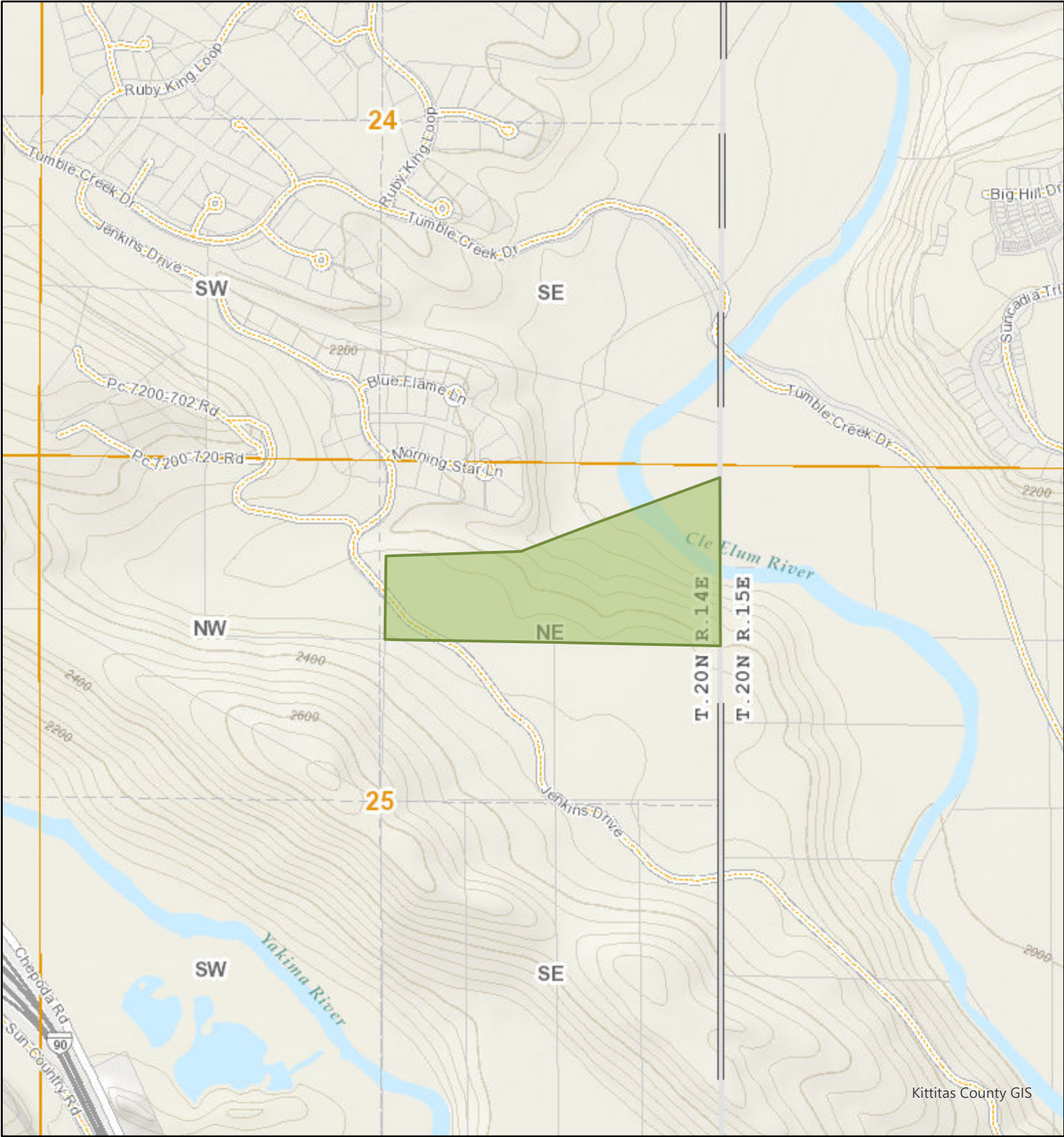
PARCEL 1:

Lot B as described and/or delineated on the face of that certain survey recorded January 25, 2005 under Auditor's File No. 200501250008 and filed in [Book 30 of Surveys, pages 234 and 235](#), records of Kittitas County, Washington; being a portion of Section 25, Township 20 North, Range 14 East, W.M., Kittitas County, Washington.

PARCEL 2:

Lot 3A, as described and/or delineated on the face of that certain Survey recorded May 23, 1995 under Auditor's File No. 581723 and filed in [Book 21 of Surveys, Page 17](#), records of Kittitas County, State of Washington; being a portion of Section 25, Township 20 North, Range 14 East, W.M., Kittitas County, State of Washington.

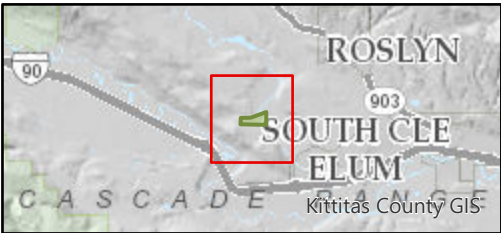
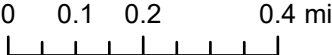
Kittitas County COMPAS Map



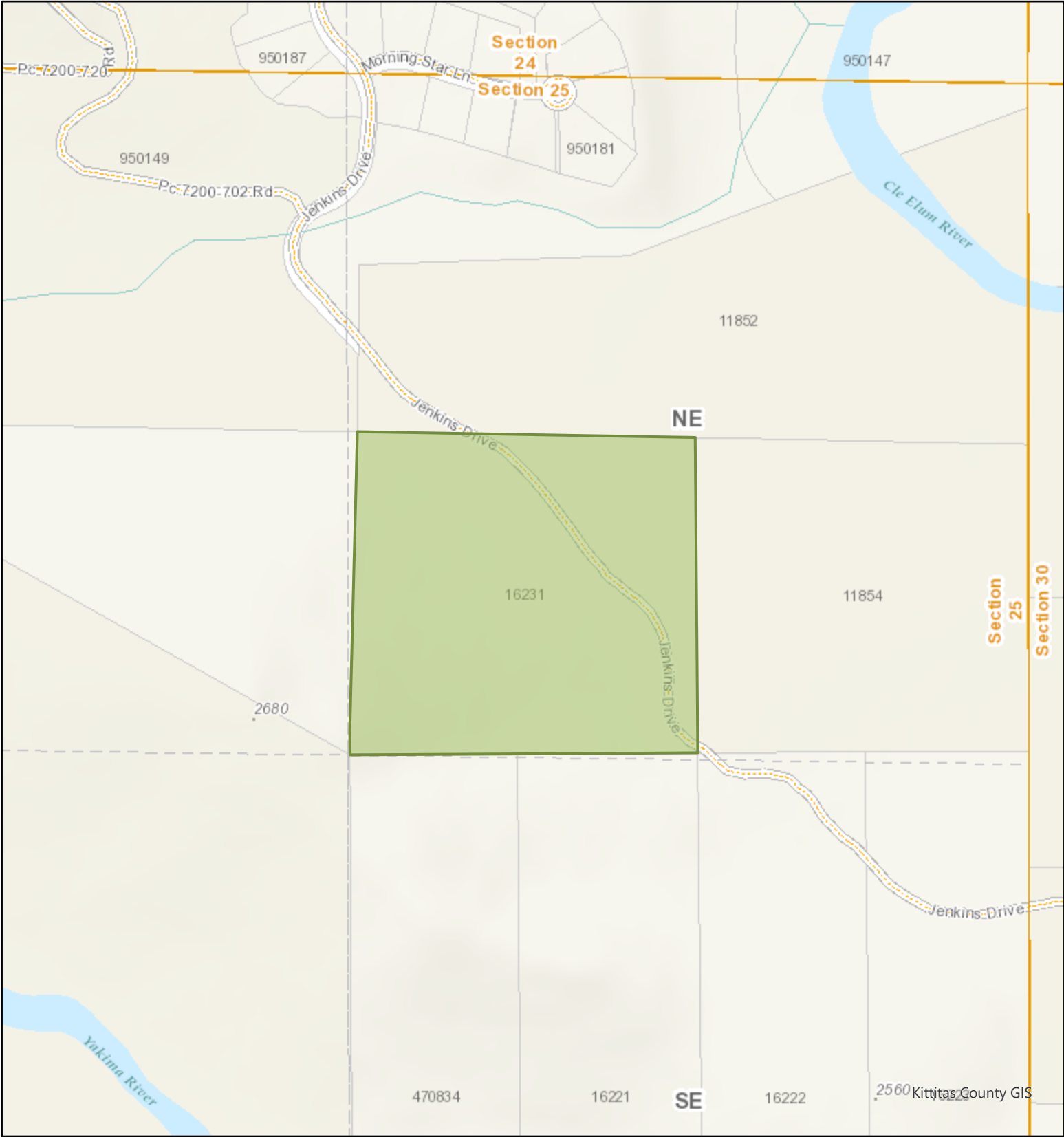
Date: 3/27/2025

1 inch equals 1,505 feet

Disclaimer:
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Kittitas County COMPAS Map



Date: 3/27/2025

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1 inch equals 752 feet

